

03-21-05

EPW 1653 #1

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/089,473-Conf. #1138 ✓
	Filing Date	March 26, 2002
	First Named Inventor	Kwang-Hoe Chung
	Art Unit	1653
	Examiner Name	G. E. Bugaisky
Total Number of Pages in This Submission	Attorney Docket Number	00136/000K432-US0

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Replacement Form PTO 1390
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Declaration and Power of Attorney
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Return Receipt Postcard
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	DARBY & DARBY P.C.		
Signature			
Printed name	S. Peter Ludwig		
Date	March 18, 2005	Reg. No.	25,351

Express Mail Label No.

Dated: \_\_\_\_\_

**AMENDMENT TRANSMITTAL LETTER**Docket No.  
00136/000K432-US0Application No.  
10/089,473-Conf. #1138Filing Date  
March 26, 2002Examiner  
G. E. BugaiskyArt Unit  
1653

Applicant(s): Kwang-Hoe Chung et al.

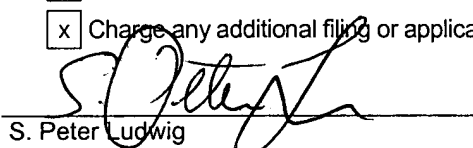
Invention: NOVEL PROTEIN DERIVED FROM AGKISTRODON SAXATILIS EMELIANOV AND  
PROCESS FOR PREPARING THE SAME**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	13	- 20 =		x	
Independent Claims	4	- 3 =	1	x 100.00	100.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					100.00

- ☐ Large Entity ☒ Small Entity
- ☐ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$ 100.00 to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-0100  
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

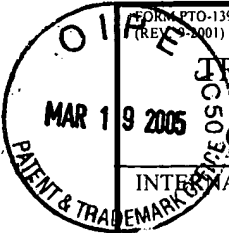
  
S. Peter Ludwig  
Attorney Reg. No.: 25,351

Dated: March 18, 2005

DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
(212) 527-7770

Express Mail Label No.

Dated: \_\_\_\_\_



FORM PTO-1390 (REV. 2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>0136/0K432US0</b>	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 CFR 1.5 <b>Not Yet Assigned</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/KR00/00809</b>		INTERNATIONAL FILING DATE <b>26 July 2000</b>		PRIORITY DATE CLAIMED	
TITLE OF INVENTION <b>NOVEL PROTEIN DERIVED FROM AGKISTRODON SAXATILIS EMELIANOV AND PROCESS FOR PREPARING THE SAME</b>					
APPLICANT(S) FOR DO/EO/US <b>Kwang-Hoe CHUNG; Doo-Sik KIM; Sung-Yu HONG; You-Seok KOH; Young-Doug SOHN; Weon-Kyoo YOU; Yang-Soo JANG; Chin-Kyu HUH</b>					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>    a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>    b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p>    c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>    a. <input type="checkbox"/> is attached hereto.</p> <p>    b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>    a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>    b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>    c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>    d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information:</p> <p>    1. Declaration concerning deposited microorganism or other biological matter</p> <p>    2. Statement Pursuant to Rule 1.821(f); Paper Copy of Sequence Listing</p>					

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) Not Yet Assigned	INTERNATIONAL APPLICATION NO. PCT/KR00/00809	ATTORNEY'S DOCKET NUMBER 0136/OK432US0
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21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... <b>\$1040.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$890.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$740.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$710.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>	<b>CALCULATIONS PTO USE ONLY</b>          <table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;">\$</td> <td style="width: 20%; border: none; text-align: right;">1040.00</td> <td style="width: 20%; border: none;"></td> </tr> </table>		\$	1040.00																						
\$	1040.00																									
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;">\$</td> <td style="width: 20%; border: none;"></td> <td style="width: 20%; border: none;"></td> </tr> </table>		\$																							
\$																										
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;">\$</th> <th style="width: 20%;"></th> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">8 - 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$18.00</td> <td style="text-align: center;">\$</td> <td></td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">4 - 3 =</td> <td style="text-align: center;">1</td> <td style="text-align: center;">x \$84.00</td> <td style="text-align: center;">\$</td> <td style="text-align: right;">84.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td style="text-align: center;">+ \$280.00</td> <td style="text-align: center;">\$</td> <td></td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$		Total claims	8 - 20 =	0	x \$18.00	\$		Independent claims	4 - 3 =	1	x \$84.00	\$	84.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$																						
Total claims	8 - 20 =	0	x \$18.00	\$																						
Independent claims	4 - 3 =	1	x \$84.00	\$	84.00																					
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$																						
<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$ 1124.00																							
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			\$ 562.00																							
<b>SUBTOTAL =</b>			\$ 562.00																							
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$																							
<b>TOTAL NATIONAL FEE =</b>			\$ 562.00																							
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +			\$ 40.00																							
<b>TOTAL FEES ENCLOSED =</b>			\$ 602.00																							
			Amount to be refunded:		\$																					
			charged:		\$																					

a. ☒ A check in the amount of \$ 602.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
 A duplicate copy of this sheet is enclosed.


c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
 overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.

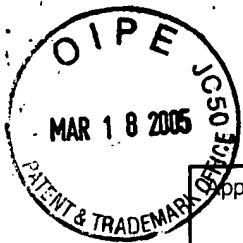
d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
 information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

S. Peter Ludwig, Esq.  
 Darby & Darby, P.C.  
 26th Floor  
 805 Third Avenue  
 New York, New York 10022-7513  
 Phone - 212.527.7700

  
 SIGNATURE  
 S. Peter Ludwig  
 NAME  
 25,351  
 REGISTRATION NUMBER



Application No. (if known): 10/089,473

Attorney Docket No.: 00136/000K432-US0

## Certificate of Express Mailing Under 37 CFR 1.10

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on March 18, 2005  
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B.W. Lee  
Signature

B.W. LEE

Typed or printed name of person signing Certificate

Registration Number, if applicable \_\_\_\_\_

Telephone Number \_\_\_\_\_

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Amendment in Response to Non-Final Office Action (15 pages)  
Amendment Transmittal (1 page)  
Fee Transmittal (1 page)  
Declaration and Power of Attorney (5 pages)  
Replacement PTO Form 1390 (1 page)  
Check in the amount of \$100 **ck# 3001**  
Return Postcard